IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL (ST.) NO.23071 OF 2004

Swapneela Rajesh Shinde .. Applicant.

Versus

Rajesh Madhavrao Shinde .. Respondent.

Mr.V.G.Mujumdar for the applicant.
Mr.V.B.Nighot for the respondent.

CORAM : S.B.MHASE &
D.B.BHOSALE, JJ.

DATE : JANUARY 31, 2005.

P.C.

1. Heard.

2. When the appeal was listed for admission the parties have arrived at consent terms and they have submitted the consent terms. The parties are present in the court and they have been identified by the respective counsel. The consent terms is taken on record and marked "X" for identification. Initially the application was filed by the appellant-wife for annulment of marriage which was dismissed. As against the said order, this appeal has been filed. Both the parties have now decided to dissolve the marriage by mutual consent. We find that the marriage between the parties is not

conciliable. Even the attempts were made during the pendency of matter in the Family Court and in this court but reconciliation has not taken place. Under these circumstances we accept the consent terms and find it proper to dispose of the appeal by mutual consent. More than six months have already been consumed after filing of the petition and during pendency of this appeal, therefore, the earlier decree passed by the trial court is hereby set aside. The said decree is hereby substituted by decree of the consent terms. The family court appeal is disposed of accordingly.

(D.B.BHOSALE, J.) **(S.B.MHASE, J.)**

:hcs/sbm/